

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

IN RE:) CHAPTER 13
)
Conchitter Hightower Gardner,) CASE NO.16-10063 WHD
)
)
)
)
Debtor.)

**NOTICE OF FILING OF MODIFICATION OF CONFIRMED PLAN,
DEADLINE FOR FILING WRITTEN OBJECTIONS,
AND HEARING DATE AND TIME IF OBJECTION IS TIMELY FILED**

TO: Creditors and Other Parties in Interest

PLEASE TAKE NOTICE that **Conchitter Hightower Gardner**, the Debtor, has filed a proposed modification to the confirmed plan in this case, a copy of which modification you are receiving with this Notice or have received by mail. Pursuant to Rule 3015(g) of the Federal Rules of Bankruptcy Procedure, any creditor or other party in interest opposing this proposed Modification must file that objection in writing with the Court before the following deadline.

DEADLINE FOR FILING OBJECTION: Twenty-four (24) days after the date on which this proposed Modification was filed. The proposed modification was filed on December 11, 2017. If the twenty-fourth day after the filing falls on a week-end or holiday, the deadline is extended to the next business day.

PLACE OF FILING: Clerk, United States Bankruptcy Court
Room 1340, United States Courthouse
Richard B. Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303-3367

If you mail an objection to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also serve a copy on the undersigned at the address stated below and on the Debtor at:

**The Cochran Firm Bkr, LLP
547 Ponce de Leon Avenue
Suite 150
Atlanta, GA 30308**

**Conchitter Hightower Gardner
548 N. 3rd St.
Griffin, GA 30223**

PLEASE TAKE FURTHER NOTICE that if an objection to the proposed Modification is timely filed, the Court will hold a hearing on the modification on **January 18, 2018 at 9:25 A.M.** 2nd Floor Courtroom, Lewis R. Morgan Federal Building, 18 Greenville Street, Newnan, GA. **If no objection is timely filed, the Court may approve the proposed modification without further notice or hearing.**

Dated: December 11, 2017

Respectfully submitted,

/s/ Nicole R. Stanton

Nicole R. Stanton

Attorney for the Debtor/Movant

GA Bar No.: 329046

The Cochran Firm Bkr, LLP

547 Ponce de Leon Avenue

Suite 150

Atlanta, GA 30308

(404) 800-6415

Nicole.stanton@stantonandworthy.com

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**POST-CONFIRMATION MODIFICATION OF PLAN AND
REQUEST FOR ITS APPROVAL AND APPLICATION FOR FEES**

COMES NOW Debtor, Conchitter Hightower Gardner, and moves this Honorable Court for the entry of an order modifying the Chapter 13 Plan post-confirmation. In support thereof the Debtor states as follows:

1.

Debtors filed a Voluntary Petition for Bankruptcy relief under Title 11, Chapter 13 of the United States Code on January 8, 2016.

2.

The Plan was confirmed on May 26, 2016.

3.

Debtors hereby modify paragraph 2 of the Chapter 13 Plan, to increase the payment to the Chapter 13 Trustee:

Current Chapter 13 Plan-paragraph 2:

2. **Plan Payments and Length of Plan.** Debtor will pay the sum of \$257.00 Monthly to Trustee by ☐ Payroll Deduction(s) or by ☒ Direct Payment(s) for the applicable commitment period of 36 months, unless all allowed claims in every class, other than long-term claims, are paid in full in a shorter period of time. The term of this Plan shall not exceed sixty (60) months. *See* 11 U.S.C. §§ 1325(b)(1)(B) and 1325(b)(4). Each pre-confirmation plan payment shall be reduced by any pre-confirmation adequate protection payment(s) made pursuant to Plan paragraph 6(A)(i) and § 1326(a)(1)(C).

The following alternative provision will apply if selected:

☐ IF CHECKED, Plan payments will increase by \$__ in month __ upon completion or termination of __.

Debtor modifies the Chapter 13 Plan-paragraph 2:

2. Plan Payments and Length of Plan. Debtor will pay the sum of \$335.00 Monthly to Trustee by ☐ Payroll Deduction(s) or by ☒ Direct Payment(s) for the applicable commitment period of 36 months, unless all allowed claims in every class, other than long-term claims, are paid in full in a shorter period of time. The term of this Plan shall not exceed sixty (60) months. See 11 U.S.C. §§ 1325(b)(1)(B) and 1325(b)(4). Each pre-confirmation plan payment shall be reduced by any pre-confirmation adequate protection payment(s) made pursuant to Plan paragraph 6(A)(i) and § 1326(a)(1)(C).

The following alternative provision will apply if selected:

☐ IF CHECKED, Plan payments will increase by \$__ in month __ upon completion or termination of __.

WHEREFORE Debtors pray:

- (a) that this "Post-Confirmation Modification of Plan and request for its Approval" be filed, read and considered;
- (b) that this Honorable Court grant this modification; and,
- (c) that this Honorable Court grants such other and further relief as it may deem just and proper.

Dated: December 11, 2017

Respectfully submitted,

/s/ Nicole R. Stanton

Nicole R. Stanton

Attorney for the Debtor/Movant

GA Bar No.: 329046

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DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

December 11, 2017

/s/ Conchitter Hightower Gardner
Conchitter Hightower Gardner

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CERTIFICATE OF SERVICE

I hereby certify that I am more than 18 years of age and that I have this day served a copy of the within Post Confirmation Plan Modification upon the following by depositing a copy of the same in U.S. Mail with sufficient postage affixed thereon to ensure delivery:

Conchitter Hightower Gardner
548 N. 3rd St.
Griffin, GA 30223 (via hand delivery)

[See attached Creditor Mailing Matrix]

I further certify that, by agreement of parties, Melissa J. Davey, Standing Chapter 13 Trustee, was served via ECF.

Dated: December 11, 2017

Respectfully submitted,

/s/ Nicole R. Stanton
Nicole R. Stanton
Attorney for the Debtor/Movant
GA Bar No.: 329046
The Cochran Firm Bkr, LLP
547 Ponce de Leon Avenue
Suite 150
Atlanta, GA 30308
(404) 800-6415
Nicole.stanton@stantonandworthy.com

CREDITOR

1st Franklin
629 E North Expressway
Griffin, GA 30223

AmeriCredit Financial Services, Inc. dba GM Financ
P O Box 183853
Arlington, TX 76096

American InfoSource LP as agent for
Verizon
PO Box 248838
Oklahoma City, OK 73124-8838

Ashley Funding Services, LLC of
Syndicated Office Systems, Inc.
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Central Finl Control
Po Box 66044
Anaheim, CA 92816

City Finance
112 N Hill St.
Griffin, GA 30223

Credit Coll
Po Box 9134
Needham, MA 02494

Enhanced Recovery Co L
8014 Bayberry Rd
Jacksonville, FL 32256

Georgia Department of Revenue
1800 Century Center Blvd., NE
Atlanta, GA 30345

Gm Financial
Po Box 181145
Arlington, TX 76096

I C System Inc
Po Box 64378
Saint Paul, MN 55164

Internal Revenue Service
Insolvency Unit
401 W. Peachtree St NW

CREDITOR

**Stop 335D
Atlanta, GA 30308**

**Loan South
917 E. 3rd Street
Jackson, GA 30233**

**PRA Receivables Management, LLC as agent of
Portfolio Recovery Associates, LLC
POB 41067
Norfolk, VA 23541**

**Security Fin
Po Box 3146
Spartanburg, SC 29304**

**Springleaf Financial S
601 Nw 2nd St
Evansville, IN 47708**

**Sunset Finance
256 Keys Ferry St.
McDonough, GA 30253**

**Unitbkzb
685 Griffin St
Zebulon, GA 30295**

**United Bank Mortgage Co.
510 S 8th Street, PO Box 144
Griffin, GA 30224**

**Verizon Wireless
Po Box 49
Lakeland, FL 33802**